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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/502,099	07/22/2004	Hisatomi Hosaka	256369US2PCT	4012

22850 7590 09/20/2006

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EXAMINER

ABRAMS, NEIL

ART UNIT PAPER NUMBER

2839

DATE MAILED: 09/20/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.		Applicant(s)	
	10/502,099		HOSAKA ET AL.	
	Examiner		Art Unit	
	Neil Abrams		2839	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 5-22-06
- 2a) ☒ This action is **FINAL**. 2b) ☒ ~~This action is not final.~~
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 6-7, 9-14, 26-39 is/are pending in the application.
- 4a) Of the above claim(s) 10-14, 29-31 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 6, 7, 9, 26-28, 32-35, 37 is/are rejected.
- 7) ☒ Claim(s) 36, 38, 39, 6, 7, 9 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claims 6, 7, 9, 38, 39 objected to in that claim 6, line 10 is unclear.

1. Claims 6, 7, 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Eldridge 254 in view of Martin.
2. Eldridge, figure 4a includes support film 404, probes 402 with contactors 108 embedded in the support film. The contactors are not trapezoidal in shape and filled with metal. Martins uses trapezoidal contactor that are solid metal. Obvious to use such type in Eldridge no more choice of one shape for its equivalent. Term "elasticity" with no clear reason set forth does not define over Eldridge part 404. Elasticity of part 404 is not stated and it is not clear if the part is slightly elastic hence meets claim language. Note that terms "filled with ... metals" reads on solid metal contactors hence is met by references as applied above.
3. Claims 26-28, 32-35, 37 are rejected under 35 U.S.C. 103(a) as being unpatentable over Martin in view of Eldridge 374, Eldridge 254, and Sato and Soejima
4. Martin. Figs 1, 2A figures 1, 4, includes probe card 106 with beam 108 having a base end and a trapezoidal contactor 114 that is solid and for claim 32 a column or first terminal, 104. The contactor appears to be metal but this is not stated. Eldridge 254 uses metal contactors at 108, 488, as does Soejima at 12, obvious to also form Martin contact 114 of metal as necessary for conduction. So formed the contactor would be readable as "filled with metal". For claim 32, obvious to use second probe card terminal in view of Soejima, fig1, at 114 as necessary for circuit connections. For claim 28 obvious to bend Martin beam upward as in Soejima. Fig 4, for greater

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flexibility. For claims 35, 37 obvious to use stops in view of Eldridge 374 at 150 and to use marks on view of Sato Fig 2 at 16,a,b,c. Stops and marks would render testing more accurate.

5. Applicant's arguments filed with the amendment have been fully considered but they are not persuasive.

6. Terms "filled with one or more metal" read on a solid contact. These are taught by Japan and Tanioka and "solid metal" clearly taught by Eldridge 108, 488 and Martin at 114.

7. Claims 36, 38, 39 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

8. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

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the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication should be directed to Neil Abrams at telephone number 571-272-2089


NEIL ABRAMS
PRIMARY EXAMINER